

**ENGLISH TRANSLATION OF  
APRIL 4, 2006 JAPANESE OFFICE ACTION  
(5 PAGES)**

(Translation)

Mailed: April 4, 2006

**NOTIFICATION OF REASONS FOR REJECTION**

Patent Application No.: Japanese Patent Application No. 2003-177117

Examiner's Notice Date: March 31, 2006

Examiner: Taku KAKIZAKI

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Applied Sections: Section 29 (2), Section 36, and Section 37

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

**REASONS**

1. The application fails to satisfy the requirements under Section 36 (6) (i) of the Patent Law, on the grounds that the recitation of the claims is defective in the following respect(s).

**REMARK(S)**

Claim 1 of the present application does not refer to the positional relationship between the light emitters and the optical means, the shape of the optical member, the moving state of the movable means, the light emission timing, and the like. Accordingly, the invention claimed in claim 1 includes all embodiments, for example, an illuminating device wherein all of multiple light emitters continue to emit light and an illuminating device wherein movable means does not continue to rotate, as well. However, these embodiments are not described in the original specification and drawings.

Accordingly, the means for solving the problem, disclosed in the detailed description of the invention, is not reflected on the claim, and thus the claimed invention is beyond the detailed description of the invention.

Similar objections apply to claims 2, 16 and 34.

2. The application fails to satisfy the requirements under Section 36 (6) (ii) of the Patent Law, on the grounds that the recitation of the claims is defective in the following respect(s).

## Notification of Reasons for Rejection

Page 2/5

**REMARKS**

1) Claim 1 claims "an illuminating device comprising (A) at least one optical means for guiding the diffuse light to a region to be illuminated, ... (B) wherein the movable means and the lighting control means are operated in cooperation so that the light amount per unit time of the diffuse light guided to the region to be illuminated is within a predetermined range."

The limitation (B) specifies a product by the functions and properties. However, the limitation (B) neither specifically recites the optical means, nor defines the positional relationship between the optical means and the light source, nor refers to means for making the functions and properties possible (such as a measurement instrument). Thus, it is indefinite from the limitation (B) what product is controlled and how the product is controlled, and thus no particular product having the functions and properties can be inferred. Accordingly, the scope of the claimed invention is unclear.

Similar objections apply to claims 2 and 16 of the present application.

2) Claim 5 of the present application claims "an illuminating device according to claim 1 or 2, wherein ... has at least one set composed of two of the optical means, the optical means of the respective sets guide, to the region to be illuminated, the diffuse light being emitted to a position, on the circle, which is point-symmetric with respect to the rotation center." However, claim 5 does not refer to the specific features and shape of the optical means, and thus no particular product having the functions and properties can be inferred. Accordingly, the scope of the claimed invention is unclear.

A similar objection applies to claim 6.

The other claims of the present application are also indefinite as failing to clearly define the optical means.

3. The invention is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could easily have been made by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention described in the following publication(s) distributed in Japan or a foreign country

## Notification of Reasons for Rejection

Page 3/5

prior to this application or the invention made available to the public through electric telecommunication lines in Japan or a foreign country prior to this application.

**REMARK(S)**

- Claims 1 to 39
- References 1 to 5
- Note

Reference 1 discloses an illuminating device which illuminates a region to be illuminated, comprising a plurality of light emitters (light source: 1) having a light emitting surface from which diffuse light is emitted; a light source part wherein the light emitters are arranged on the circle in an aligned manner; at least one optical means (rotating reflector: 2) for guiding the diffuse light to the region to be illuminated; movable means for rotatably driving the optical means around the center of the circle as the rotation center; and lighting control means (timing control circuit: 6 and power source circuit: 7) for controlling the light emission timing of said plurality of light emitters.

It would have been obvious to those skilled in the art to use an LED and a light emitter substrate as light sources.

It is a well-known technique to control the light amount from the light source and the area of the light emitting surface, without the need for exemplification.

It is a well-known technique to provide heat radiation/evacuation means for heat radiation.

Further, the reflection preventing treatment and light shielding treatment are well-known techniques to those skilled in the art.

References 2, 3 and 4 disclose that light guiding means is provided in front of the light source.

Monitoring of the light amount is disclosed in Reference 5.

Micro-reflection prisms are well known to those skilled in the art.

4. The application fails to satisfy the requirements under the

## Notification of Reasons for Rejection

Page 4/5

main provision of Section 37 in the following respect(s).

**REMARK(S)**

The problem to be solved by the present invention is as follows: "an object of the present invention is to provide, at a low cost, an illuminating device intended for effective illumination with a stable light amount, which cannot be attained by a method wherein multiple light emitters such as LEDs are aligned to be lightened simultaneously, thereby increasing the light amount, and an image projector using the illuminating device" (paragraph [0014]). However, the means for solving the problem is not clearly recited in independent claims 1 and 34 (see Reason 1), and thus the problems to be solved by the inventions of claims 1 and 34 are not deemed to fall within the problem to be solved by the present invention.

The essential features common to the inventions claimed in claims 1 and 34 are light emitters aligned on a circle and optical means. However, these features are disclosed in Reference 1, and thus are not novel.

Thus, the inventions claimed in claims 1 and 34 do not have any substantial part, and thus do not have the relationship as defined in Section 37 (ii) of the Patent Law.

Further, the two inventions do not have any of the relationships as defined in Section 37 (iii) to (v) of the same.

Although the present application does not meet the requirements of Section 37 of the Patent Law, the inventions claimed in all the claims have been examined.

It should be noted that, if a considerable burden is imposed on the examination during the future procedure, due to the presence of an invention claimed in the claim which still fails to meet the unity-of-invention requirement, the present application might possibly be rejected for Reason 1.

## Notification of Reasons for Rejection

Page 5/5

References Cited:

1. Jpn. Pat. Appln. KOKAI Publication No. 2000-294491
2. Jpn. Pat. Appln. KOKAI Publication No. 11-352589
3. Jpn. Pat. Appln. KOKAI Publication No. 07-098416
4. Jpn. Pat. Appln. KOKAI Publication No. 2000-206455
5. Jpn. Pat. Appln. KOKAI Publication No. 09-200662

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Prior Art Search Report

Searched Field(s): IPC F21V19/02

The result of this prior art search does not constitute the reasons for rejection.

In the case where there is any inquiry concerning the contents of this Official Notice for Reasons for Rejection, please contact the following:

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